



Governor
Janet Napolitano

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

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Board Members:

David M. Steinway, D.O., Pres.
Stanley J. Grossman, V.P.
F. P. Wedel, D.O.
Arlene England, D.O.
Mary Ann Picardo, D.O.
Scott Steingard, D.O.
Jon B. Fiegen

Executive Director

Jack Confer

**DRAFT MINUTES OF THE PUBLIC BOARD MEETING
OF THE ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY**

Saturday, March 15, 2008

BOARD MEMBERS PRESENT: President David Steinway, D.O., Arlene England, D.O., Mary Ann Picardo, D.O. and F.P. Wedel, D.O., Scott Steingard, D.O.

BOARD MEMBERS ABSENT: Mr. Jon B. Fiegen and Mr. Stanley Grossman were excused from the meeting.

STAFF / OTHERS PRESENT: Jack Confer, Executive Director
Barbara Meyers, Deputy Director
Barbara Prah, D.O., Medical Consultant
Beverly Alfson, Business/Licensing Manager
John O'Hair-Schattenberg, Investigator
Blair C. Driggs, Assistant Attorney General
Kathy Fowkes, Administrative Secretary
Carol Whipple, Certified Court Reporter

1. CALL TO ORDER

The Board President, Dr. David Steinway, called the meeting to order at 7:57 a.m. Chris Munns, Esq, from the solicitor general's office was introduced. He was present to advise Board on item 5A.

2. ROLL CALL AND REVIEW OF AGENDA

The Executive Director took the roll. The Board Members listed above were present, establishing quorum for the meeting.

3. PRESIDENT'S REPORT AND CALL TO THE PUBLIC

- A. Dr. Steinway welcomed the 3rd year Medical Students – Arizona College of Osteopathic Medicine at Midwestern University and Kirksville College of Osteopathic Medicine at A.T. Stills University
- B. Dr. Steinway stated that the Board's custom is to ask members of the public to speak when the agenda item of interest to the person is called. If you want to address the Board on an issue not on the agenda, you will be asked to speak prior to the adjournment. All people wishing to speak should fill out a speaker form and give it to a staff member.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

- A. Open Session Minutes January 19, 2008. Mr. Confer reported Mr. Fiegen's request for the minutes to be changed to reflect that he was in favor of the Surgical Assistants bill.

MOTION: Dr. Wedel moved to accept the minutes as amended. Dr. Picardo seconded.

ROLL CALL VOTE: Motion carried unanimously.

- B. Executive Session Minutes January 19, 2008

MOTION: Dr. Wedel moved to accept the minutes. Dr. Steingard seconded.

ROLL CALL VOTE: Motion carried unanimously.

- C. Open Session Minutes February 14, 2008

MOTION: Dr. Wedel moved to accept the minutes. Dr. Steingard seconded.

ROLL CALL VOTE: Motion carried unanimously.

- D. Executive Committee Meeting Minutes, January 19, 2008
No motion or vote was taken.

5. REVIEW, CONSIDERATION AND POSSIBLE ACTION ON REQUESTS AND MOTIONS TO REVIEW A DECISION PURSUANT TO A.A.C. R4-22-106. (8:00AM)

- A. S. Foster Easley, DO Case No. 3888 License No. 3212

The Respondent Dr. Easley was present and sworn in. Charles Buri, Esq and was present as counsel for the respondent. Blair Driggs, Esq., Assistant Attorney General, was present to argue the State's case. Chris Munn, Esq. from the Solicitor General's office was present to advise the Board. Mr. Buri addressed the Board and stated his case regarding the suspension of Dr. Easley's license which occurred at the November 2007 Board meeting, and requested the Board vacate its prior decision and adopt the administrative law judge's decision. Mr. Driggs addressed the Board and presented the State's case.

The Board recessed to Executive Session at 8:16 a.m.

The Board returned to Open Session at 8:25 a.m.

MOTION: Dr. Wedel motioned to DENY request. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

6. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).

- A. Heidi Susan Holland, DO Case No. 3935 License No. 4250

MOTION: Dr. Wedel moved for a LETTER OF CONCERN for failure to diagnose appendicitis, with CONTINUING MEDICAL EDUCATION in the area of evaluation and management of abdominal pain and appendicitis. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman

YES	4		X	X	X	X		
NO	1	X						
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 4-1, with Dr. Steinway dissenting.

B. Philip Bain, DO Case No. 3833M License No. 2302

Dr. Bain was present.

MOTION: Dr. Steingard moved for an INVESTIGATIVE HEARING. Dr. Picardo seconded.

ROLL CALL VOTE: Motion carried 5-0.

C. David Mendelson, DO Case No. 3822 License No. 3728

Dr. Mendelson was present.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

D. Robert Marouk, DO Case No. 3921 License No. 3583

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

E. Steven Traikovich, DO Case No. 3827M License No. 3330

MOTION: Dr. Steinway moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

F. Kristen Mortenson, DO Case No. 3933 License No. 2779

Dr. Mortenson was present and answered all questions posed by the Board.

FIRST MOTION: Dr. Wedel moved for an INVESTIGATIVE HEARING. Motion was not seconded. After discussion, Dr. Wedel withdrew the motion.

SECOND MOTION: Dr. England moved for a LETTER OF CONCERN pursuant to A.R.S. §32-1854 (6), (34) & (36) regarding Dr. Mortenson's office policy requiring patients to use a computer in order to obtain care, which could be a barrier to proper treatment, and could also be a discriminatory practice. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

G. Shawn Stevenson, DO Case No. 3905 License No. 4350

FIRST MOTION: Dr. Wedel moved for DISMISSAL. After discussion, Dr. Wedel withdrew the motion.

SECOND MOTION: Dr. England moved for an INVESTIGATIVE HEARING. Dr. Steingard seconded.

ROLL CALL VOTE: Motion carried 5-0.

H. Ronald Kennett, DO Case No. 3936 License No. 2166

Complainant T.L. was present. Dr. Kennett was not present. The Medical Consultant reviewed the case. T.L. addressed the Board and answered all questions posed by the Board.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

I. David Miller, DO Case No. 3971 License No. 3206

FIRST MOTION: Dr. Wedel moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	3			X		X		
NO	2	X	X		X			
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: The motion failed 3-2, with Drs. Steinway, Steingard and Picardo dissenting.

SECOND MOTION: Dr. Steingard moved for an INVESTIGATIVE HEARING. Dr. Steinway seconded.

ROLL CALL VOTE: The motion carried 3-2, with Drs. Wedel and England dissenting.

J. Roger Grimes, DO Case No. 3967 License No. 1178

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steinway seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

K. Jerry Sowers, DO Case No. 3812M License No. 0843

MOTION: Dr. Wedel moved for a LETTER OF CONCERN. Dr. Picardo seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

L. POSTPONED

M. Norberto Perez, DO Case No. 3830 License No. 3121

Complainant A.D. was present, addressed the Board, and answered all questions posed by the Board.

MOTION: Dr. Wedel motioned for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

N. Douglas Brinkerhoff, DO Case No. 3962M License No. 1428

Dr. Brinkerhoff was present. William Jones Jr., Esq. was present as counsel for the Respondent. The Medical Consultant reviewed the case. Dr. Brinkerhoff answered all questions posed by the Board.

MOTION: Dr. England motioned for a LETTER OF CONCERN pursuant to A.R.S. §32-1854 (6). Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

Board recessed at 9:40 a.m.
Board returned to open session at 9:45 a.m.

O. Raymond Schneider, DO Case No. 3846 License No. 1683

MOTION: Dr. Steingard moved for an INVESTIGATIVE HEARING. Dr. Wedel seconded.

ROLL CALL VOTE: Motion carried 5-0.

P. William Resnick, DO Case No. 3854 License No. 3905

Dr. Resnick was present. Sarah Soto, Esq. was present as counsel for Dr. Resnick. The Medical Consultant reviewed the case, and Dr. Resnick answered all questions posed by the Board.

MOTION: Dr. Steingard moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

Q. David Reynolds, DO Case No. 3886 License No. 3529

MOTION: Dr. Steinway moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

R. James Carpenter, DO Case No. 3866 License No. 3336

MOTION: Dr. Steingard moved for DISMISSAL. Dr. Picardo seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X			
NO	0							
ABSTAIN	0							
ABSENT	3					X	X	X

ROLL CALL VOTE: Motion carried 4-0. Dr. Wedel was absent for the vote.

S. POSTPONED

T. Robert Michaud, DO Case No. 3890 License No. 2045

MOTION: Dr. Steinway moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X			
NO	0							
ABSTAIN	0							
ABSENT	3					X	X	X

ROLL CALL VOTE: Motion carried 4-0.

U. Lawrence Ryan, DO Case No. 3849 License No. 2014

MOTION: Dr. Steingard moved for DISMISSAL. Dr. Picardo seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X			
NO	0							
ABSTAIN	0							
ABSENT	3					X	X	X

ROLL CALL VOTE: Motion carried 4-0.

V. Michael Neiderer, DO Case No. 3855 License No. 4422

MOTION: Dr. Steingard moved for DISMISSAL. Dr. Picardo seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X			
NO	0							
ABSTAIN	0							
ABSENT	3					X	X	X

ROLL CALL VOTE: Motion carried 4-0.

W. Jack Butler, DO Case No. 3851 License No. 1786

MOTION: Dr. Steingard moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X			
NO	0							
ABSTAIN	0							
ABSENT	3					X	X	X

ROLL CALL VOTE: Motion carried 4-0.

X. David Reynolds, DO Case No. 3891 License No. 3529

MOTION: Dr. Steinway moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X			
NO	0							
ABSTAIN	0							
ABSENT	3					X	X	X

ROLL CALL VOTE: Motion carried 4-0.

Y. Bruce Sand, DO Case No. 3895 License No. 1841

MOTION: Dr. Steingard moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X			
NO	0							
ABSTAIN	0							
ABSENT	3					X	X	X

ROLL CALL VOTE: Motion carried 4-0.

Z. John Farnham, DO Case No. 3892 License No. 1558

Dr. Farnham was present and answered all questions posed by the Board.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

AA. Brian Page, DO Case No. 3894 License No. 3416

MOTION: Dr. Steingard moved for an INVESTIGATIVE HEARING. Dr. England seconded.

ROLL CALL VOTE: Motion carried 3-1, with Dr. Steinway dissenting, and Dr. Wedel absent.

BB. Eric Mann, DO Case No. 3950 License No. 2677

MOTION: Dr. Steingard moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X			
NO	0							
ABSTAIN	0							
ABSENT	3					X	X	X

ROLL CALL VOTE: Motion carried 4-0.

7. REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. § 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. § 32-1825 (C-D) AND A.A.C. R4-22-109.

A. Steven Locnikar, D.O.

Dr. Locnikar was present. The Executive Director summarized the status of this license application. Dr. Locnikar addressed the Board and answered all questions posed by the Board.

MOTION: Dr. Wedel moved to DENY application. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X		X	X		
NO	1			X				
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 4-1 with Dr. England dissenting.

B. Stanley Asbury, D.O.

Dr. Asbury was present with counsel, Robert Bohm, Esq. The Executive Director reviewed the circumstances and draft consent agreement for probation and compliance terms should the Board vote to license Dr. Asbury.

Dr. Wedel moved for an Executive Session for legal advice. Dr. Picardo seconded, and the board voted 5-0 in favor.

Board recessed to Executive Session at 10:06 a.m.

Board returned to Open Session at 10:17 a.m.

Mr. Bohm addressed the Board. Dr. Asbury answered all questions posed by the Board regarding his current competency. The Consent Agreement and potential changes were discussed.

Dr. Wedel moved to table this matter until Dr. Asbury completes Part 3 of NBOME exam. Dr. England seconded.

Chair granted the motion.

8. CONSIDERATION AND ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDERS AND REQUESTS TO MODIFY OR TERMINATE ORDERS, PURSUANT TO A.R.S. 32-1855 (E) AND (I)

A. Harry Gale, DO

Case No. 3601M

License No. 2772

Dr. Gale was present. The Deputy Director reviewed the case. Dr. Gale answered all questions posed by the Board.

Board recessed to Executive Session at 11:42 a.m.

Board returned to Open Session at 11:45 a.m.

The Board recommended that Dr. Gale complete the PACE recommendations. The Board acknowledged that Dr. Gale's probation is being terminated.

- B. Henry Tomlinson, DO Case No. 3307 License No. 2639

Dr. Tomlinson was present and sworn in. The Medical Consultant reviewed the case. Dr. Tomlinson provided a report to the Board. Board directed staff to do random chart review.

- C. David Beal, DO Case No. 3523 License No. 1638

Dr. Beal was present. The Deputy Director reviewed the case. Dr. Beal addressed the Board and answered all questions posed by the Board.

MOTION: Dr. Steingard moved to terminate the prior order upon the physician's successful completion of a 40 hour mini-residency, and Dr. England's review of report from the Residency's Department Chair. Dr. Picardo seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion passed 5-0.

- D. Patrick Marsh, DO Case No. 3657 License No. 2502

Dr. Marsh was present and sworn in. The Deputy Director reviewed the case. Dr. Marsh answered all questions posed by the Board. He stated that he had an opportunity for employment with Susan Courtney, M.D. and requested the existing Board order be amended to allow him to work 40 hours per week. The Board discussed the request.

FIRST MOTION: Dr. England moved to amend existing order to allow 40 hours of work per week. Dr. Steingard seconded for purposes of discussion.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4			X				
NO	0	X	X		X	X		
ABSTAIN	0							
ABSENT	3						X	X

ROLL CALL VOTE: The motioned failed 4-1, with Drs. Steinway, Steingard, Picardo and Wedel dissenting.

SECOND MOTION: Dr. Steingard moved to amend existing order to allow a 30 hour work week. After discussion, Dr. Steingard withdrew the motion.

Board unanimously decided to take no action regarding the existing Board order at this time.

Board requested Dr. Marsh to ask that a letter be sent to this agency from Dr. Courtney explaining her practice, and to inform the Board if she dispenses controlled medications from her office.

Board recessed for Lunch at 12:28 p.m.

Board returned to Open Session at 12:57 p.m.

9 REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.

A. Raymond Bakotic, DO Case No. 3792 License No. 2712

Dr. Bakotic was present. The Medical Consultant reviewed the case. Dr. Bakotic answered all questions posed by the Board.

MOTION: Dr. Picardo moved for DISMISSAL. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4		X	X	X	X		
NO	1	X						
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion passes 4-1, with Dr. Steinway dissenting.

B. Don Barlow, DO Case No. 3762 License No. 2098

Dr. Barlow was not present. Appearing on behalf of Dr. Barlow was Robert Bohm, Esq.

FIRST MOTION: Dr. Steingard moved to send this case back to Case Review. Dr. Picardo seconded.

ROLL CALL VOTE: Motion carried 5-0.

SECOND MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	5	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 5-0.

C. Gerald Roth, DO Case No. 3868 License No. 3868

Dr. Roth was present and sworn in. Dan Kavik, Esq., was present as counsel for Dr. Roth. The Investigator reviewed the case.

MOTION: Dr. Picardo moved for a LETTER OF CONCERN and 8-hour CONTINUING MEDICAL EDUCATION in the area of boundaries, said course meeting with the Executive Director's approval, to be completed in the next 6 months. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4		X	X	X	X		
NO	1	X						
ABSTAIN	0							
ABSENT	2						X	X

ROLL CALL VOTE: Motion carried 4-1, with Dr. Steinway dissenting.

D. John Hortareas, DO Case No. 3791BM License No. 3253

Dr. Hortareas was present and sworn in. Steven Myers, Esq. was present as counsel for Dr. Hortareas. The Medical Consultant reviewed the case.

MOTION: Dr. England moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X			
NO	0							
ABSTAIN	0							
ABSENT	3					X	X	X

ROLL CALL VOTE: Motion carried 5-0.

E. Stephen Bair, DO Case No. 3930 License No. 1369

Dr. Bair was present and sworn in. The Medical Consultant reviewed the case. Dr. Bair answered all questions posed by the Board.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. England	Dr. Picardo	Dr. Wedel	Mr. Fiegen	Mr. Grossman
YES	4	X	X	X	X	X		
NO	0							
ABSTAIN	0							
ABSENT	3						X	X

ROLL CALL VOTE: Motion carried 5-0.

10. EXECUTIVE SESSION FOR THE PURPOSE OF RECEIVING ADVICE FROM ITS ATTORNEY REGARDING A.R.S. 32-32-1855 (D) (2) & (3).

Board recessed to Executive Session at 2:14 p.m.
Board returned to Open Session at 2:27 p.m.

11. EXECUTIVE DIRECTOR REPORT:

- A. 2008 Legislation
- B. 2008 Budget

The Executive Director reported to the Board that the State will be taking 45% of this agency's cash reserve for the current and next fiscal years, 2008 and 2009: \$250,000 per year for a total of \$500,000.

- C. Web Page, Osteo Board 411
Executive Director reported status.
- D. Update on Database, Go Live Date
- E. New Investigator Format and Medical Consultant Report Form
Board and staff discussed minor changes in the reports.

12. ADJOURNMENT

Dated this ____ day of _____, 2008.

Jack Confer, Executive Director